

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**ELIZABETH ANDERSON,**

**Plaintiff,**

**Vs.**

**UNITED AIR LINES, INC., UAL INC.,  
and THE ASSOCIATION OF FLIGHT  
ATTENDANTS,**

**Defendants.**

) ) ) ) ) ) ) ) ) )

) No.

FILED: MAY 28, 2009

09CV3210

JUDGE CONLON

MAGISTRATE JUDGE SCHENKIER

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**PLAINTIFF'S COMPLAINT AT LAW**

COUNT I

**NOW COMES** the Plaintiff, ELIZABETH ANDERSON by her attorneys SCOTT SKALETSKY of SKALETSKY & ASSOCIATES, LTD. and for Count I of her Complaint at Law against UNITED AIRLINES, INC., alleges as follows:

## PARTIES

1. The parties to this lawsuit are as follows:
  - a. ELIZABETH ANDERSON is an individual who resides in the City of Montrose and State of Minnesota
  - b. UNITED AIR LINES, INC. ("UNITED") is an Illinois Corporation that has its headquarters in the City of Chicago and State of Illinois.
  - c. UAL ("UAL") INC. is an Illinois Corporation that has its headquarters in the City of Chicago and State of Illinois.
  - d. The ASSOCIATION OF FLIGHT ATTENDANTS ("AFA") is a labor organization having offices in the City of Rosemont and State of Illinois.

## JURISDICTION

2. This action is brought pursuant to the following:

The Americans with Disabilities Act that prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

4. Venue is invoked pursuant to 28 U.S.C. Section 1391.

### **FACTS**

#### **COUNT I vs. UNITED AIR LINES AND UAL, INC.**

5. Beginning in 1999, the Plaintiff was employed as a flight attendant for UNITED and/or UAL.

6. In October 2007, and for a time prior to that date, the plaintiff suffered from depression.

7. Her disability came to the attention of UNITED and/or UAL and as such, in October 2007, she requested intermittent leave.

8. Rather than acceding to her request, however UNITED and/or UAL placed her on a forced medical leave.

9. When her physician said that she could return to work, however, UNITED and/or UAL refused to let the Plaintiff return to work.

10. Thereafter, on January 28, 2008 UNITED and/or UAL discharged the Plaintiff from her position.

11. No reason was given for her discharge from her position.

### **CAUSE OF ACTION**

12. The actions of UNITED and/or UAL constituted a violation of the Americans with Disabilities Act of 1990 for their discrimination against the Plaintiff on the basis of her disability, to wit:

- a. forcing the Plaintiff to take a medical leave rather than granting her request for intermittent leave;
- b. refusing to accept the Plaintiff back into employment even after her doctor cleared her to return to work.

### **PRAYER FOR RELIEF**

**WHEREFORE**, plaintiff(s) request(s) that this Court grant the following relief:

- a. monetary damages for the deprivation of her rights afforded to her under the American with Disabilities Act of 1990;
- b. punitive damages.

### **COUNT II vs. AFA**

13-24. Plaintiff adopts and realleges paragraphs one (1) through eleven (11) of Count I as paragraphs thirteen (13) through twenty-four (24) of Count II as though fully restated herein.

25. Plaintiff began her affiliation with the AFA in 1999 when she first became employed by UNITED and/or UAL.

26. UNITED and/or UAL shared confidential information with the AFA, including but not limited to information regarding her medical history.

27. Notwithstanding having that knowledge about her medical history, however the AFA refused to provide the Plaintiff was any representation whatsoever from the date of her termination to July 2, 2008.

### **CAUSE OF ACTION**

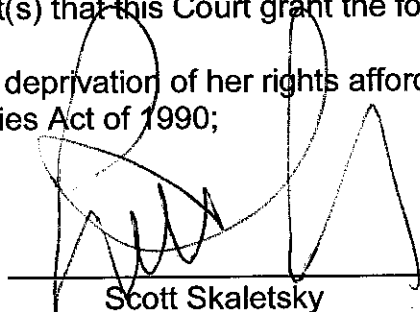
12. The actions of the AFA constituted a violation of the Americans with Disabilities Act of 1990 for their discrimination against the Plaintiff on the basis of her disability, to wit:

- a. refusing to represent the Plaintiff in her post-termination proceedings when it knew or should have known that UNITED and/or UAL deprived her of her rights under the Americans with Disabilities Act of 1990.

**PRAYER FOR RELIEF**

**WHEREFORE**, plaintiff(s) request(s) that this Court grant the following relief:

- a. monetary damages for the deprivation of her rights afforded to her under the American with Disabilities Act of 1990;
- b. punitive damages.



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